

# The Gazette



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## NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 1st July 1957:—

| Issue No. | No. and date                                      | Issued by                              | Subject   |
|-----------|---|--|---|
| 80        | No. 35(1)-T.P./57, dated 29th June 1957.          | the Ministry of Commerce and Industry. | Report of the Tariff Commission on the continuance of protection to the Wood Screw Industry.                    |
| 81        | No. SC(A)-2(177)/53, dated the 1st July 1957.     | Ministry of Steel, Mines and Fuel.     | Report of the Tariff Commission on the increase of prices to be allowed to the two companies specified therein. |
|           | No. 1(4)Plant (cell)/56, dated the 1st July 1957. | Ministry of Commerce and Industry.     | Plantation Inquiry Commission's Report on the Tea Industry.   |
|           | No. 46-ITC(PN)/57, dated 29th June 1957.          | the Ministry of Commerce and Industry. | Import of Pre-focussed types of bulbs.  |

Copies of the *Gazettes* Extraordinary mentioned above will be supplied on Indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

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## PART I—Section 1

**Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court**

**OFFICE OF THE SECRETARY TO THE PRESIDENT***New Delhi, the 8th July 1957*

**No. 27-Pres./57.**—The President is pleased to award the President's Police and Fire Services Medal for gallantry to the undermentioned officer of the Rajasthan Police:—

**Name of the officer and rank.**—Shri Kheem Singh, Head Constable No. 177, District Barmer.

**Statement of services for which the decoration has been awarded.**—On the 27th December 1956, Head Constable Kheem Singh received information that two notorious dacoits, Hari Singh and Thanla, who had committed 10 dacoities and other offences during the year, were hiding in a jungle some 4 miles from the Police Post. He immediately collected the available force of 10 Foot Constables and set out. On approaching the dacoits' hide out the Head Constable formed his men into a semi-circle and advanced stealthily in order to take the dacoits by surprise. The police party succeeded in getting within 150 yards of the dacoits before their presence was detected and the latter opened fire. The Head Constable called on the dacoits to surrender and when this was ignored he returned the fire.

The dacoits were occupying good cover while the police party was in the open. Finding his fire ineffective Head Constable Kheem Singh decided to move over to the left flank and after covering some 200 yards of open ground in order to do so, advanced towards the dacoits firing his Bren-gun from the hip. A bullet from the dacoits struck the foresight of the Bren-gun in his hands and splinters of the bullet pierced his chest and hands. Despite these injuries, the Head Constable continued to advance and finally succeeded in crawling within 40 yards of the dacoit Hari Singh, whom he killed with a burst. In the meantime, the dacoit Thanla had been shot by two other constables of the party.

During this encounter which lasted over two hours, Head Constable Kheem Singh boldly exposed himself on several occasions and displayed leadership and undaunted courage in utter disregard of his personal safety.

2. This award is made for gallantry under rule 4 (i) of the rules governing the award of the President's Police and Fire Services Medal and consequently carries with it the special allowance admissible to officers of and below the rank of Inspector of Police as provided in rule 5.

C. S. VENKATACHAR,

Secretary to the President.

**MINISTRY OF FINANCE**

(Department of Economic Affairs)

**RESOLUTION***New Delhi, the 13th July 1957*

**No. F. 8(7)-NS/57.**—It is notified for general information that Smt. Sundhira Bhagat has been nominated to the Orissa State Advisory Board for Women's Savings Campaign announced in this Ministry's Resolution No. F.8 (14)-NS/56, dated the 29th October, 1956 published in the Gazette of India, Part I, Section I, dated the 3rd November, 1956.

M. L. VERMA, Under Secy.

(Department of Revenue)

**NOTICE**

**APPOINTMENT OF VALUERS UNDER SECTION 4(3) OF THE ESTATE DUTY ACT, 1953**

*New Delhi, the 8th July 1957*

**No. 5/105/56-E.D.**—In supersession of this Ministry's Notices No. 5(3)-E.D./54, dated 2nd June, 1954 and No. 5/85/55-E.D., dated 20th April, 1956, it is hereby notified for general information that the Central Government proposes to appoint qualified persons as Valuers under sub-section 3 of Section 4 of the Estate Duty Act and also to fix a scale of charges for their remuneration.

2. The different kinds of properties of which valuation may be required to be made are broadly as follows:—

| S. No. | Nature of Property  | Category of Valuers   |
|--------|---|---|
| (1)    | Immovable property other than agricultural lands  | Surveyor, Engineer, Architect or Mining Engineer for mines. |
| (2)    | Agricultural lands  | Specialist in Agriculture and Farm Valuation.               |
| (3)    | Stocks, Shares and debentures of a company not quoted in a recognised stock exchange including shares and debentures of a controlled company. | Accountant  |
| (4)    | Share of a Partner in a partnership.  |   |
| (5)    | Business assets including good will.  |   |
| (6)    | Jewellery, precious stones and ornaments  | Specialist in Jewellery, precious stones and ornaments      |
| (7)    | Works of Art  | Specialist in work of Art                                   |
| (8)    | Reversions and Interest in expectancy   | Actuary.  |

3. In order that a person may be eligible to be appointed as a Valuer, he must satisfy the qualifications for any one of the different categories of Valuers. The minimum qualifications shall be as follows:—

- (i) *In the case of a Surveyor, Engineer, Mining Engineer or an Architect.*—(i) is a graduate in Civil Engineering, Mining, Mining Engineering or Architecture of a recognised University or is a member of a recognised Institute of Engineers, Architects, Surveyors or of School of Mines whose diploma is recognised as being equivalent to a degree in engineering, and
- (ii) has been in practice as consulting engineer, mining engineer, surveyor or architect for not less than ten years.

*N.B.*—(a) in the case of a person who is or had been in the service of a State or Central Government, the period of ten years' continuous service as a gazetted officer shall for this purpose be treated as equivalent to ten years' practice;

- (b) in the case of a person in the service of the Valuation Department of a statutory Improvement Trust or a Municipal Corporation, ten years' service as a member of the executive staff shall be regarded as satisfying both conditions Nos. (i) and (ii).

- (2) *In the case of a Specialist in Agriculture and Farm Valuation.*—(a) is a Graduate in Agricultural Economics or Agricultural Science with at least ten years' experience as a Farm Valuer;

OR

- (b) was in the service of a State Government either as—
  - (i) an Agricultural Inspector; or
  - (ii) a Tahsildar; or
  - (iii) a Land Valuation Officer; or
  - (iv) a settlement Officer for a total period of not less than ten years.
- (2) *In the case of an Accountant.*—(i) is a member of the Institute of Chartered Accountants of India; and

- (ii) has been in practice as an accountant and auditor for a period of not less than ten years, and has at the date of application or had for three years at any time during the course of practice, the annual audit work of at least twenty-five Partnership concerns and limited companies employing an aggregate working capital of fifty lakhs in the business in India, or if he is a partner in a firm consisting of two or more partners and at least two of the partners satisfy the condition of ten years' practice, the firm has the audit work of fifty concerns employing a

capital of not less than one crore in the business in India.

*N.B.*—In the case of a person who is or had been in the service of a State or Central Government or a Municipal Corporation, ten years' continuous service connected with the audit and accounts or taxation work shall be regarded as satisfying the preceding condition No. (ii).

- (4) *In the case of a specialist in jewellery, precious stones and ornaments.*—has been engaged in the business of jewellery, precious stones or ornaments for a period of not less than fifteen years and has had an average annual turnover of not less than twenty lakhs in respect of jewellery or 50 lakhs in respect of bullion for the last three years.
- (5) *In the case of a Specialist in works of Art.*—is a member of the Council of National Art Gallery, or is a Principal of a Government School of Arts; or is a Trustee of National Museum; or had been in the service of a State or Central Government as a gazetted officer for not less than ten years in the Department of Archaeology.
- (6) *In the case of an Actuary.*—(i) is a graduate of a recognised University;
- (ii) is a member of any Institute of Actuaries which entitles him to act as an actuary for an insurance company incorporated in India, or the Life Insurance Corporation,
- (iii) has been in practice as an actuary for not less than ten years.

*N.B.*—In the case of a person who is or had been in the service for not less than ten years of a State or Central Government or of an insurance company having an annual premium income of twenty lakhs the period of ten years' service shall be treated for this purpose as equivalent to ten years' practice.

4. Any person who fulfils the qualifications set out above for any one of the categories of Valuers and who wants to have his name considered for appointment as a Valuer may apply to the Deputy Secretary to the Government of India, Ministry of Finance, Department of Revenue, New Delhi. For the next list, applications setting out the applicant's qualifications supported by attested copies of the necessary documents should reach the Deputy Secretary before the 1st August, 1957. In the case of a person in the service of a State or Central Government or a statutory corporation, the application should be forwarded through the employer, who should clearly state that he has no objection to the applicant's appointment as a Valuer, and his undertaking such valuation work.

5. On receipt of an application, the Central Government may require any other information to be furnished or may cause such enquiries to be made as it deems fit.

6. Further names of Valuers may be added in the list in January and July each year.

7. (1) The appointment of Valuers shall, in the first instance, be for a period of three years and every person whose name has been included in any list shall have to apply again, subject to his satisfying the requisite qualifications for the time being in force if he wants to have his name included in the subsequent list.

(2) The Central Government may remove the name of any person from the list of Valuers if it finds him guilty of misconduct in connection with any valuation proceedings.

8. The scale of charges fixed for the remuneration of Valuers is as under and it shall not be permissible for any Valuer whose name is borne on the list to charge a fee at a scale higher than the prescribed scale:—

*Scale of charges:*

|  |                        |
|--|------------------------|
| For any property upto Rs. 50,000/-   | $\frac{1}{2}$ per cent |
| On value of property exceeding Rs. 50,000/- but not exceeding Rs. 1½ lakhs | $\frac{1}{4}$ per cent |
| On the balance   | 1/8 per cent           |

B. M. MITRA, Dy. Secy.

**THE INSTITUTE OF CHARTERED  
ACCOUNTANTS OF INDIA**

CHARTERED ACCOUNTANTS

New Delhi, the 8th July 1957

**No. 1-CA(3)/57.**—The following draft of certain amendments to the Chartered Accountants Regulations, 1949, which it is proposed to make in exercise of the powers conferred by sub-section (1) and (3) of Section 30 of the Chartered

Accountants Act, 1919 (XXXVIII of 1949), is published for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after 3rd August, 1957.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Council of the Institute of Chartered Accountants of India, New Delhi.

In the said Regulations:—

I. For the existing clause (3) of Regulation 47, substitute the following namely:—

“(3) Every candidate for election shall pay a fee of Rs. 200/- (Rupees two hundred only) which shall

not be refundable in any circumstances except as hereinafter provided.

Provided that not more than one such payment need be made by any one candidate in respect of his candidature for any one election.

Provided further that in the event of his nomination not being accepted as valid as hereinafter provided, the fee of Rs. 200/- paid by him shall be refunded to him in full.”

II. The following sub-clauses (5), (6) and (7) shall be added to Regulation 47, namely:—

“(5) The Secretary shall scrutinize the nomination papers of all candidates other than those whose candidature has been withdrawn under sub-regulation (1) above, and shall endorse on each nomination paper his decisions accepting or rejecting it and if he rejects it, he shall record in writing a brief statement of his reasons for so rejecting it. The Secretary may refuse or reject any nomination if he is satisfied:—

- (a) that the candidate was ineligible to stand for election;
- (b) that the proposer or seconder was not qualified to subscribe to the nomination of the candidate in form ‘O’;
- (c) that there has been failure to comply with any of the provisions of sub-regulations (2) and (3) above;
- (d) that the signature of any candidate or of the proposer or seconder is not genuine or has been obtained by force or fraud; or
- (e) that the candidate or the proposer or seconder has not paid any of the fees due and payable to the Council.

Provided that nothing contained in clause (b), (c), (d) or (e) of this sub-regulation shall be deemed to authorise the refusal or rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination of the candidate if he has been duly and validly nominated by means of another nomination in respect of which no irregularity has been committed.

Provided further that a candidate whose nomination has been refused or rejected by the Secretary shall have a right of appeal against the decision of the Secretary. Such appeals shall be submitted to the Council within 10 days of the date on which such rejection or refusal is communicated to him and the same shall be heard by a Committee appointed by the Council for this purpose consisting of three persons who need not necessarily be members of the Institute to consider and dispose of such appeals. Members of the Institute appointed on the Committee shall not be chosen from the candidates standing for election. The Committee so appointed shall have powers to inspect any documents, examine any witnesses, record any evidence, receive affidavits, grant adjournments, and exercise such other powers as may be necessary for the efficient and faithful performance of the duties. The decision of the Committee shall be final.

(6) On completion of the scrutiny of nominations as provided under sub-regulation (5) above, the Secretary shall forthwith prepare lists of valid nominations for each constituency and cause such list pertaining to a constituency to be sent by registered post to each candidate in that constituency whose nomination has been accepted as valid. The list to be posted shall contain the full names in alphabetical order and the addresses of the validly nominated candidates in a constituency.

(7) If a candidate dies or otherwise ceases to be a member before the date of the election but after the date fixed for the withdrawal of candidature under sub-regulation (4) above and his nomination is or has been accepted as valid, the election in his constituency shall be conducted among the remaining candidates and no fresh proceedings with reference to the election of members in the constituency in which such member, was a candidate shall be commenced.”

III. For the existing Regulation 47A, 48, 49 and 50, "substitute the following namely:—

"47A. *Candidates deemed to be elected if their number is equal to or less than the number of persons to be elected.*—If the number of candidates validly nominated in any constituency is equal to or less than the number of persons to be elected for such constituency, or if the number of candidates in a constituency becomes equal to or less than the number of persons to be elected for such constituency, by reason of death or cessation of membership of one or more candidates before the date of election, then such candidates shall be deemed to be elected and the Secretary shall declare all such candidates duly elected. If the number of such candidates in that constituency is less than the number of persons to be elected for that constituency, the Secretary shall commence fresh proceedings for the election of the remaining number of members to be elected from that constituency.

48. *Admissible number of votes to each voter.*—Each voter shall have one vote only. A voter in giving his vote—

- (a) must place on his ballot paper the figure 1 in the square opposite the name of the candidate for whom he votes;
- (b) may, in addition, place on his ballot paper the figure 2 or the figures 2 and 3, or 2, 3, and 1 and so on, in the squares opposite the names of other candidates in the order of his preference.

48A. *Mode of elections.*—Except as otherwise provided, the elections shall be conducted by poll and every voter in any election shall cast his votes personally in the booth provided for the purpose, unless a voter is allowed in respect of any election to cast his votes by post as hereinafter provided.

48B. *Polling booths.*—The Secretary shall set up such number of polling booths at such places as he deems necessary provided that within an area covered by a radius of ten miles from each booth there are not less than ten members according to their professional addresses as on the date of publication of the list of members eligible to vote. A list clearly showing the location of the polling booths and the polling area for which each such booth has been selected together with the names and addresses of persons entitled to record their votes in each booth shall be published in the Gazette of India at least thirty days before the date of the election.

48C. *Polling Officer.*—The Secretary shall appoint a polling officer for each polling booth and may also appoint such other persons as he may deem necessary to assist the polling officer. The polling officer shall, in addition to performing any other duties imposed upon him by these Regulations be in general charge of all arrangements at the polling booth and may issue orders as to the manner in which persons shall be admitted to the polling booth and generally for the preservation of peace and order at or in the vicinity of the polling booth.

48D. *The secret chamber and the ballot paper.*—(1) There shall be a secret chamber or chambers in each polling booth and such chamber shall be so arranged that where an elector records his votes on the ballot paper, no other person can see how he has voted.

(2) The ballot paper shall contain a list of candidates standing for election in a constituency and shall bear the seal of the Council.

48E. *Presence of the candidates at the polling booths.*—Any candidate for election in a constituency shall be entitled to be present at the polling booths in that constituency and/or to appoint members of the Institute as his authorised representatives to be present on his behalf at the polling booths in that constituency: Provided that the candidate shall send at least fifteen days before the date of the election an intimation to the Secretary by registered post of his intention to appoint such authorised representatives for the purpose, clearly indicating the full name, membership number and address of each of the authorised representative and the number of the polling booth at which each of them will be present. Provided further that not more than one authorised representative shall be present at a time at each polling booth.

48F. *Voting to be in person and not by proxy.*—Voting shall be by ballot and every person entitled to record his vote by poll and wishing to record his vote shall do so in person, and not by proxy, by means of a ballot paper which shall be affixed with the seal of the Council.

48G. *Questions to be put to electors.*—At any time before a ballot paper is delivered to an elector, the polling officer may of his own accord, if he has reason to doubt the identity of the elector or his right to vote at the polling booth, and shall, if so required by a candidate or his authorised representative, put to the elector such questions as he may deem necessary with a view to establish the identity of that elector.

48H. *Record to be kept by the polling officer.*—The polling officer shall at the time of delivery of the ballot paper

place against the name of the elector in the list of persons eligible to vote a mark to denote that the elector has received a ballot paper. He shall also keep record of the ballot papers supplied to the electors in such manner as the Secretary may direct.

In deciding the right of a person to obtain a ballot paper under this Regulation, the polling officer at any polling station may interpret any entry in the list of persons eligible to vote so as to overlook merely clerical or printing error, provided that he is satisfied that such person is identical with the elector to whom such entry relates.

48I. *Identification of electors.*—The polling officer may employ at the polling booth such persons as he thinks fit to assist him in identifying the electors or for any other purpose.

48J. *Manner of recording of votes after receipt of ballot papers.*—(1) On receiving the ballot paper the elector shall forthwith proceed into the secret compartment set apart for the purpose and shall record his votes on the ballot paper in the manner specified in Regulation 48. He shall also give a signed letter in the form supplied for the purpose of forwarding his ballot paper to the Secretary.

(2) He shall then place the ballot paper on which his votes have been recorded and the said forwarding letter in two separate envelopes supplied for the purpose and get the envelopes closed and sealed in his presence. These two envelopes shall thereafter be placed together in a bigger envelope to be given to him which shall also be closed and sealed in his presence, if necessary with the seal of the elector. The elector shall then personally hand over the envelope thus sealed to the polling officer.

48K. *Return of ballot paper by an elector.*—(1) If an elector after obtaining a ballot paper for the purpose of recording his votes decides not to use the same, he shall return the ballot paper to the polling officer, and the ballot paper so returned shall then be marked as "cancelled—returned" and kept in a separate envelope set apart for the purpose and a record shall be kept by the polling officer of all such ballot papers.

(2) If any ballot paper which has been issued to any elector for the purpose of recording his votes has been left by the elector at the secret chamber, whether votes have been recorded in it or not, it shall be dealt with in accordance with the provisions of sub-regulation (1) as if it had been returned to the polling officer.

48L. *Hours during which polling shall remain open.*—(1) Every polling booth shall remain open on the day or days appointed for recording of votes from 8.30 A.M. to 6.30 P.M.

(2) The polling officer shall close the polling booth at the hour appointed under the provisions of sub-regulation (1) above and no elector shall be admitted thereto after that hour:

Provided that all electors present within the polling booth before it is closed shall be entitled to have their votes recorded:

Provided further that where the number of electors within a radius of ten miles at any polling booth exceeds 200 the polling booth shall be kept open for two consecutive days during the same timings as mentioned in (1) above.

(3) The polling officer shall, as soon as practicable after the close of the poll, in the presence of any candidates or their authorised representatives who may be present, place the sealed envelopes in a packet or packets and/or boxes. He shall also make up into separate packets—

- (i) the unused ballot papers;
- (ii) the returned ballot papers;
- (iii) the marked copy of the list of voters eligible to vote; and
- (iv) any other paper directed by the Secretary to be kept in a sealed cover;

and seal each such packet or box with his own seal and the seals of such candidates or authorised representatives as may desire to affix their seals thereon and shall arrange for the safe custody of such packets or boxes.

(4) The packets or boxes referred to in sub-regulation (3) shall be accompanied by an account of ballot papers showing the total number of ballot papers received, issued and unissued, returned as also the number of ballot papers which should be found in the packets or boxes. This account shall be forwarded to the Secretary.

49. *Transport of ballot papers and their custody.*—The Secretary and the polling officers shall make adequate arrangements for the safe transport to the headquarters of the Institute of all boxes or packets and other papers referred to in Regulation 48I, and for their safe custody until the commencement of the counting of votes.

49A. *Voting by members employed on duty at polling booths.*—A polling officer or an authorised representative referred to in Regulation 48E, who is an elector for any

constituency and is, by reason of his being on duty at a polling booth unable to be present and to vote at the polling booth, where he is entitled to vote may apply to the Secretary at least thirty days before the date fixed for the poll at that constituency for permission to vote at the election by postal ballot. If the Secretary is satisfied that the claim is just and that the applicant is entitled to vote in the constituency he shall, notwithstanding anything contained in this Chapter, allow the application and permit the applicant to give his votes at the election by postal ballot and thereupon the applicant may give his votes at such election by postal ballot and shall not be entitled to give his votes thereat in any other manner.

Provided that such permission shall not be granted to more than one authorised representative of a candidate in respect of each polling booth.

**48B Eligibility to vote by post**—Every member whose name is included in the list of persons eligible to vote published under the provisions of sub-regulation (i) of Regulation 47 and whose address as on the date of publication of the said list does not fall within a radius of ten miles from any of the polling booths and/or every member who is residing outside India, shall, notwithstanding anything contained in this Chapter, be entitled to vote by post.

**49C Council to send ballot papers by post**—At least 21 days before the date of election the Council shall send by registered post to the address of every voter entitled to vote by post under Regulation 49B a voting paper together with a letter explaining the manner in which it shall be filled up and specifying the date and hour by which it must reach the Secretary to the Council.

**49D Ballot papers to be returned after recording votes thereon**—Every elector on receiving his ballot paper sent under Regulation 49C, shall if he desires to vote at the election record his votes thereon in the manner specified in Regulation 48 and then send it to the Secretary so as to reach him before 3 p.m. on the date fixed in this behalf.

**49E Issue of undelivered and fresh ballot papers**—When a ballot paper and other connected papers sent by post under Regulation 49C are lost or damaged in transit or for any reason returned undelivered the Secretary may reissue them by registered post or deliver them or cause them to be delivered to the elector on his applying for the same if he is satisfied with the reasons for such loss damage or return of the ballot paper and other connected papers.

**50 Grounds for declaring ballot papers invalid**—A ballot paper shall be invalid—

- (a) if a voter signs his name or writes any word or figure upon it nor makes any mark or writing upon it by which the ballot paper becomes recognisable or by which the elector can be identified, or
- (b) which does not bear the seal of the Council or
- (c) on which the figure 1 is not marked, or
- (d) on which the figure 1 is set opposite the name of more than one candidate, or
- (e) on which the figure 1 and some other figure are set opposite the name of the same candidate, or
- (f) if the ballot paper is unmarked or void for uncertainty.

After Regulation 50 insert the following Regulation 50A namely—

**"50A Definitions**—In this chapter unless there is any thing repugnant in the subject or context—

(i) 'Continuing candidate' means any candidate not elected and not excluded from the poll at any given time.

(ii) 'first preference' means the figure 1 'second preference' means the figure 2 and 'third preference' means the figure 3 set opposite the name of any candidate and so on.

(iii) 'unexhausted paper' means a ballot paper on which a further preference is recorded for a continuing candidate.

(iv) 'exhausted paper' means a ballot paper on which no further preference is recorded for a continuing candidate provided that a paper shall also be deemed to be exhausted in any case in which—

- (a) the names of two or more candidates whether continuing or not are marked with the same figure and are next in order of preference, or
- (b) the name of the candidate next in order of preference whether continuing or not is marked by a figure not following consecutively after some other figures on the ballot paper or by two or more figures.

(v) 'original vote' in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for such candidate.

(vi) 'transferred vote' in regard to any candidate means a vote, the value or part of the value of which is credited to such candidate and which is derived from a ballot paper on which a second or subsequent preference is recorded for such candidate.

(vii) 'surplus' means the number by which the value of the votes of any candidate, original or transferred, exceeds the quota."

After Regulation 50A, insert the following Regulation 50B, namely—

**"50B Appointment of time and date for the counting of votes**—The Secretary shall appoint a date or dates and time for each such date for the counting of votes at the head quarters of the Institute. He shall also give notice of such date or dates and time in writing to all candidates."

After Regulation 50B, insert the following Regulation 50C, namely—

**50C Counting of votes**—(1) On the date and at the time and place appointed under Regulation 50B, the Secretary shall for purposes of counting the votes in respect of a constituency—

(a) open the covers containing the postal ballot papers received by him under Regulation 49D, and shall take out the ballot papers from each such cover and shall record the number thereof in a statement, and shall make a separate packet of those ballot papers.

(b) allow the candidates and their authorised representatives present at the counting an opportunity to inspect the packets and/or boxes received from the polling officers and their seals for satisfying themselves that they are in order, and

(c) proceed as follows—

If he is satisfied that all such packets and/or boxes have been received and are in order he shall take up the counting of the ballot papers contained in the packets and/or boxes. The packets and boxes shall be opened and the ballot papers shall be taken out from them and shall be counted and the number thereof recorded in a statement. To these shall be added the postal ballot papers. The ballot papers shall be examined and any invalid voting papers shall be rejected. He shall divide the remaining ballot papers into parcels according to the first preferences recorded for each candidate. He shall then count the number of papers in each parcel.

(2) In carrying out the regulations hereinafter contained the Secretary shall—

(a) disregard all fractions,

(b) ignore all preferences recorded for candidates already elected or excluded from the poll.

(3) For the purpose of facilitating the processes prescribed the regulations hereinafter contained each valid paper shall be deemed to be of the value of one hundred.

(4) The Secretary shall add together the values of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled and the result increased by one shall be the number sufficient to secure the return of a candidate (hereinafter called the quota).

(5) If at any time a number of candidates equal to the number of persons to be elected has obtained the quota such candidates shall be treated as elected, and no further steps shall be taken.

(6) (i) Any candidate, value of whose parcel, on the first preferences being counted is equal to or greater than the quota, shall be declared elected.

(ii) If the value of the papers in any such parcel is equal to the quota the papers shall be set aside as finally dealt with.

(iii) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the voting papers next in the order of the voters' preference, in the manner prescribed in the following paras.

(7) (i) If and whenever as the result of any operation prescribed by these rules a candidate has a surplus that surplus shall be transferred in accordance with the provisions of this Regulation.

(ii) If more than one candidate has a surplus, the largest surplus shall be dealt with first and the other in order of

magnitude. Provided that every surplus arising on the first counting of votes shall be dealt with before those arising on the second count and so on.

(iii) Where two or more surpluses are equal, the Secretary shall decide, as hereinafter provided, which shall first be dealt with.

(iv) (a) If the surplus of any candidate to be transferred arises from original votes only, the Secretary shall examine all the papers in the parcel belonging to the candidate whose surplus is to be transferred and divided the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall also make a separate subparcel of the exhausted papers.

(c) If the value of the unexhausted paper is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus he shall transfer the subparcel of unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(v) If the surplus of any candidate to be transferred arises from transferred as well as original votes the Secretary shall reexamine all the papers in the subparcel first transferred to the candidate and divide the unexhausted papers into subparcels according to the next preferences recorded thereon. He shall thereupon deal with the subparcels in the same manner as is provided in the case of the subparcels referred to in Clause (iv).

(vi) The papers transferred to each candidate shall be added in the form of a subparcel to the papers already belonging to such candidate.

(vii) All papers in the parcel or subparcel of an elected candidate not transferred under this Regulation shall be set aside as finally dealt with.

(8) (i) If after all surpluses have been transferred as hereinbefore directed, less than the number of candidates required has been elected, the Secretary shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.

(ii) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.

(iii) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which and at the value of which he obtained them.

(iv) Each of such transfers shall be deemed to be a separate transfer.

(v) The process directed by this Regulation shall be repeated on the successive exclusions one after another of the candidates lowest on the poll until the last vacancy is filled either by the election of a candidate with the quota or as hereinafter provided.

(9) If as the result of a transfer under these Regulations the value of the votes obtained by a candidate is equal to or greater than the quota the transfer then proceeding shall be completed but no further papers shall be transferred to him.

(10) (i) If after the completion of any transfer under these Regulations the value of the votes of any candidate shall be equal to or greater than the quota, he shall be declared elected.

(ii) If the value of the votes of any such candidate shall be equal to the quota the whole of the papers on which such votes are recorded shall be set aside as finally dealt with.

(iii) If the value of the votes of any such candidate shall be greater than the quota his surplus shall thereupon be distributed in the manner hereinbefore provided before the exclusion of any other candidate.

11 (i) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled the continuing candidates shall be declared elected.

(ii) When only one vacancy remains unfilled and the value of the votes of some one continuing candidate exceeds the total value of all the votes of the other continuing candidates, together with any surplus not transferred that candidate shall be declared elected.

(iii) When only one vacancy remains unfilled and there are only two continuing candidates and those two candidates have each the same value of votes and no surplus

remains capable of transfer one candidate shall be declared excluded under the next succeeding Regulation and the other declared elected.

(12) If when there is more than one surplus to distribute two or more surpluses are equal or if at any time it becomes necessary to exclude a candidate and two or more candidates have the same values of votes and are lowest on the poll regard shall be had to the original votes of each candidate and the candidate for whom fewest original votes are recorded shall have his surplus first distributed, or shall be first excluded as the case may be. If the values of their original votes are equal the Secretary shall decide by lot which candidate shall have his surplus distributed or be excluded.

50D Procedure in case of a tie—If after counting of votes tie is found to exist between any candidates and the addition of one vote will entitle any of those candidates to be declared elected, that shall forthwith be decided between those candidates by lot and the candidate on whom the lot falls shall be considered to have received an additional vote shall be declared to be duly elected.

IV For the existing Regulation 51 substitute the following Regulation namely—

51 Savings—(1) The decision of the Secretary shall be final in all matters not only in regard to the application of any of the provisions of the Regulations contained in this Chapter but also in respect of all other matters not specially covered by these provisions.

Provided that an appeal against the Secretary's decision may be made within ten days from the date of communication to him of the decision by a candidate or his authorised representative to the Council and the Council shall deal with the appeal in the same manner as specified in the second proviso to Regulation 47(5) above.

(2) No election shall be deemed to be invalid merely because of the accidental omission to send or delay in sending a voting paper to a voter or the accidental nonreceipt of or delay in receiving a voting paper by a voter or any other accidental irregularity or informality in the conduct of the election."

V Add the following new Regulation 51A after the end of Regulation 51 and before Chapter VI, namely—

51A Disciplinary action against member in respect of election conduct—A member of the Institute shall be liable for disciplinary action by the Council if he contravenes any of the provisions of the Election Conduct Rules framed by the Council regarding the elections to the Council as well as the Regional Councils."

Draft amendments to the Chartered Accountants Regional Council Bye Laws

For the existing Byelaw 18, substitute the following, namely—

18 Subject to the above provisions the rules regarding the election prescribed in Chapter V of the Chartered Accountants Regulations 1919 as far as possible will be applicable to the election to the Regional Councils."

E. V. SRINIVASAN, Secy

## MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 8th July 1957

No F7-14/57 I.S.D.I.—In pursuance of the provision of Subpara (11) of paragraph 2 of the Resolution of the Government of India in the Ministry of Food & Agriculture No F.O. 10/511 dated the 30th January, 1952, as amended the Central Government is pleased to nominate Shri Krishan Chand I.C.S. Joint Secretary to the Government of India in the Ministry of Food & Agriculture (Department of Agriculture) to be a member and Vice-President of the Central Council of Gosamvardhana *vice* Shri R. L. Mehta, I.A.S.

2 Shri A. H. B. Tyabji I.A.S. Deputy Secretary to the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) is nominated as a member of the Central Council of Gosamvardhana, *vice* Shri T. S. Krishnamurti.

N. RANGANATHAN, Under Secy.

## (Department of Agriculture)

(I C. A R)

New Delhi the 29th June 1957

No. 30(3)/57 CDN—Under Rule 25(7) of the Rules of the Indian Council of Agricultural Research the President of the Council has been pleased to select the following representatives of the Lok Sabha on the Council to be members of its Governing Body—

- 1 Shri T. Sanganna, and
- 2 Shri M. Shankaraya

R. D. MOHINDRA Under Secy

# MINISTRY OF EDUCATION & SCIENTIFIC RESEARCH

## RESOLUTION

New Delhi the 11th July 1957

No. F 112/56 HI—In partial modification of the Ministry of Education Resolution No. F 112/56 HI dated the 4th February, 1957 it is hereby resolved that the following may be substituted for clause No. 1(a) of that Resolution

- 1(a) The tenure of office of the Chairman and of the members of the Hindi Shiksha Samiti will be three years. If a vacancy arises on the Samiti due to resignation, death etc., of a member the member nominated in that vacancy will hold office for the residue of the period the members nominated by the Speaker of the Lok Sabha and by the Chairman of the Rajya Sabha shall cease to be members of the Samiti if they cease to be members of the Parliamtent

## ORDER

Ordered that a copy of this Resolution be communicated to all State Governments of India, Cabinet Secretariat, Prime Minister's Secretariat, Partition Secretariat, Department of Parliamentary Affairs, Lok Sabha and Rajya Sabha Secretariats, President's Secretariat and Planning Commission, New Delhi.

Ordered also that the Resolution be published in the Gazette of India for general information.

K. G. SAIYIDAIN, Secy

## MINISTRY OF HEALTH

New Delhi, the 8th July 1957

No. 1-141/57-HII—Shrimati Renuka Ray M.P. has been appointed a member of the Family Planning Board constituted by the Resolution of the Government of India in the Ministry of Health, No. 1-65/56 HII dated the 1st September 1956.

S. MULLICK, Jr. Secy

## MINISTRY OF COMMERCE AND INDUSTRY

## NOTICES

New Delhi, the 2nd July 1957

No. CCI/SPE/161/57/1767—Whereas there is reason to believe that licence No. E 999363/57 dated the 30th April 1957 valued at Rs. 7864/- for import of Chemicals N.O.S. from the Soft Currency Area except South Africa granted by the Deputy Chief Controller of Imports, Central Licensing Area, New Delhi, to M/s. C. Rai & Brothers, Sundia Mohalla, Benaras was obtained on misrepresentation of facts, it is therefore hereby notified, that the Government of India in the Ministry of Commerce & Industry in exercise of the powers specified in para 9 of the Imports (Control) Order, 1955, dated the 7th December 1955, propose to cancel the said licence No. E 999363/57, dated the 30th April 1957 unless sufficient cause against this is furnished to the Chief Controller of Imports & Exports, King Edward Road, New Delhi, within ten days of the date of issue of this notice by the said M/s. C. Rai & Brothers, Sundia Mohalla, Benaras or any bank or any other party who may be interested in it.

In view of what is stated above M/s. C. Rai & Brothers, Sundia Mohalla, Benaras or any bank or any other party who may be interested in the said licence No. E 999363/57 dated the 30th April 1957 are hereby directed not to enter into any further commitments against the said licence and return it immediately to the Chief Controller of Imports, New Delhi.

No. CCI/SPE/161/57/1780—Whereas there is reason to believe that licence No. 999361/57 dated the 30th April, 1957 valued at Rs. 5575/- for import of Calcium Carbide from the Soft Currency Area except South Africa granted by the Deputy Chief Controller of Imports, Central Licensing Area, New Delhi to M/s. Rajnarain Rai & Co. Sundia Mohalla, Benaras was obtained on misrepresentation of facts, it is therefore hereby notified that the Government of India in the Ministry of Commerce and Industry, in exercise of the powers specified in para 9 of the Imports (Control) Order 1955 dated the 7th December 1955 propose to cancel the said licence No. E 999361/57 dated the 30th April, 1957 unless sufficient cause against this is furnished to the Chief Controller of Imports and Exports, King Edward Road, New Delhi within ten days of the date of issue of this notice by the said M/s. Rajnarain Rai & Co. Sundia Mohalla, Benaras or any bank or any other party who may be interested in it.

In view of what is stated above M/s. Rajnarain Rai & Co. Sundia Mohalla, Benaras or any bank or any other party who may be interested in the said licence No. L 999361/57, dated the 30th April 1957 are hereby directed not to enter into any further commitments against the said licence and return it immediately to the Chief Controller of Imports, New Delhi.

No. CCI/SPE/161/57/1793—Whereas there is reason to believe that (i) licences Nos. E 999359/57, dated the 30th April 1957 valued at Rs. 6,179/- for import of Calcium Carbide and (ii) No. L 999360/57, dated the 30th April, 1957 valued at Rs. 4332/- for import of Acetic Acid from the Soft Currency Area except South Africa granted by the Deputy Chief Controller of Imports, Central Licensing Area, New Delhi to M/s. National Stores, Bagiya Mani Ram, Kanpur were obtained on misrepresentation of facts, it is therefore hereby notified that the Government of India in the Ministry of Commerce and Industry, in exercise of the powers specified in para 9 of the Imports (Control) Order 1955, dated the 7th December 1955 propose to cancel the said licences No. F 999359/57, dated the 30th April 1957 and No. E 999360/57, dated the 30th April 1957 unless sufficient cause against this is furnished to the Chief Controller of Imports and Exports, King Edward Road, New Delhi, within ten days of the date of issue of this notice by the said M/s. National Stores, Bagiya Mani Ram, Kanpur or any bank or any other party who may be interested in it.

In view of what is stated above M/s. National Stores, Bagiya Mani Ram, Kanpur or any bank or any other party who may be interested in the said licences No. E 999359/57, dated the 30th April 1957 and No. E 999360/57, dated the 30th April 1957 are hereby directed not to enter any further commitments against the said licences and return these immediately to the Chief Controller of Imports, New Delhi.

No. CCI/SPE/161/57/1807—Whereas there is reason to believe that licence No. F 999362/57, dated the 30th April, 1957, valued at Rs. 6,901/- for import of Chemicals N.O.S. from the Soft Currency Area except South Africa, granted by the Deputy Chief Controller of Imports, Central Licensing Area, New Delhi to M/s. Chempro House, Old Generalganj, Kanpur was obtained on misrepresentation of facts, it is therefore hereby notified, that the Government of India in the Ministry of Commerce and Industry in exercise of the powers specified in para 9 of the Imports (Control) Order, 1955 dated the 7th December 1955 propose to cancel the said licence No. F 999362/57 dated the 30th April, 1957, unless sufficient cause against this is furnished to the Chief Controller of Imports and Exports, King Edward Road, New Delhi within ten days of the date of issue of this notice by the said M/s. Chempro House, Old Generalganj, Kanpur or any bank or any other party who may be interested in it.

In view of what is stated above M/s. Chempro House, Old Generalganj, Kanpur or any bank or any other party who may be interested in the said licence No. F 999362/57, dated the 30th April 1957 are hereby directed not to enter into any further commitments against the said licence and return it immediately to the Chief Controller of Imports, New Delhi.

S. N. BILGRAMI, Joint Secy.

